

Macedonia Court Modernization Project (MCMP)

Q10 Tetovo - Survey of Citizens/Court Users

Ingo Keilitz
Sherwood Consulting/CourtMetrics

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Although many assume that "winning" and "losing" in court is what matters most in citizens' reactions to encounters with judges and courts, it is not what counts most in shaping public trust and confidence in the courts. Instead, research consistently indicates that it is people's personal perceptions of how they were treated by the court system and whether the court system makes decisions fairly.¹ The perceptions and opinions of "customers" increasingly are used as a major source of evaluation feedback by public agencies including courts.

This is a tentative draft of a proposed survey of citizen/users of Macedonian pilot courts (beginning with the Tetovo Basic Court with other "pilot" courts to follow). The survey -- administered by brief questionnaire of 10 questions (the "Q10") -- provides performance measures for four of the five performance areas identified by the *Court Performance Standards*: access to justice, expedition and timeliness, fairness and equality, and public trust and confidence.² These measures are wholly consistent with -- and in some instance exceed -- the requirements and specifications governing the MCMP including those of the: (1) relevant indicators identified by USAID for the rule of law program in Macedonia; (2) the EU Accession Monitoring Program; and (3) the relevant portions of the USAID survey of citizen attitudes and practices regarding democracy and civic participation and their perceptions about civil and governmental institutions.

Summary of Measure and Methodology

Operational Definition of Measure. Percent of citizens/court users giving favorable ratings to the Macedonian courts' accessibility, convenience of use, and treatment of them by the courts (fairness, equality, courtesy).

Questionnaire. The latest version of the questionnaire is on pp. 7-9 below.

¹ Tyler, T.R. (2001). Public Trust and Confidence in legal Authorities: What Do Majority and Minority Group Members Want from the Law and Legal Institutions. *Behavioral Science and the Law* 19: 215-235.

² Keilitz, I. (2000). Standards and Measures of Court Performance. In *Criminal Justice 2000, Volume 4, Measurement and Analysis of Crime and Justice*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, July 2000, 559-593. Electronic version available at: http://www.ncjrs.org/criminal_justice2000/vol_4/04k.pdf

Who is surveyed? Macedonian citizens/users of the court on a typical day. The general public, surveyed by USAID (i.e., citizens with no experience with the courts), will not be included in the proposed survey unless they are among those using the court on the specified day(s).

About what? Agreement or disagreement with 10 simple statements about accessibility, convenience, and treatment by the court (fairness, equality, and courtesy).

When? typical day (a day that considered *generally* representative of all "court" days). The survey is likely to be done by the Tetovo Court in late September or October 2003.

By whom? How? Court coordinators, interns and students coordinate and administer a simple questionnaire printed on an attractive form. It is anticipated that a polling firm will assist the Tetovo Court in such activities as distribution and collection of questionnaires, data entry, database preparation, data analysis and display.

Where? MCMP pilot courts beginning with the Tetovo Court.

Use of results. The primary users of the results are the pilot courts themselves. The design of this pilot effort is that, ultimately, the Macedonian courts will use the measures of the citizens/court users survey on a regular and continuous basis (e.g., quarterly).

Rationale of Proposed Approach

The proposed survey of citizens/court users -- which include a number of court performance measures -- is designed to meet two important requirements: sustainability and strategy focus. First, the measure needs to be sustainable by the Macedonian courts as practical measures of court performance after MCMP/USAID support. Second, it must help the courts readily identify court improvement strategies. As designed, the measure *in itself* is both an incentive and a tool for court self improvement.³ Additionally, it will help to identify and formulate improvement strategies.

A *performance measure* is an indicator, a specific piece of information, that describes observable characteristics or changes that represent a program's or a strategy's inputs, outputs and outcomes. Good examples of court performance measures are the 68 outcome and output measures of access to

³ The idea that the right performance measure can "drive" or "enable" desired results is widely recognized in the private sector. See Brown, M.G. *Keeping Score: Using the Right Metrics To Drive World-Class Performance*. New York: Quality Resources, 1966.

justice, timeliness, fairness and integrity, independence and accountability, and public trust and confidence of the *Court Performance Standards*.⁴

Performance measurement is a fairly inclusive term that refers to the process of measuring a court's accomplishments, work output and service levels, and inputs. Generally, performance measurement is any effort undertaken to meet the need for evidence of results on a regular and continuous basis as expressed by a court's stakeholders. The element of this definition that distinguishes performance measurement from program evaluation, which might be considered a complementary activity,⁵ is the *regular and continuous measurement* of results or outcomes.

An effective court performance measure:

- Is an important **part of the strategy** to achieve (drive) the goals of the court (think of the relationship of the gauges of a car dashboard and the driving a car)? (The key to collecting data for court performance measurement is identifying those performance measures that will actually help to achieve the desired results (i.e., measures that are drivers of success).
- **Focuses on accomplishments** (outcomes) for the court's users not just workload or activity of programs and processes (outputs)
- Is **aligned with agreed-upon success factors** for the court, i.e., indicates what is most important to the court and its stakeholders
- Is **consistent** throughout the court
- Is **emblematic or symbolic** (its meaning and significance are easily understood by the court and its stakeholders).

Proposed Survey Methodology

Questionnaire. A tentative draft of the survey questionnaire is below. It will be translated into Macedonian, Albanian and Turkish languages.

Survey Respondents. All the users of the court -- including litigants, attorneys, citizens seeking documents, witnesses, and the employees of the court -- on a specified typical day.

⁴ Commission on Trial Court Performance Standards, *Trial Court Performance Standards With Commentary*, Washington, DC: U.S. Department of Justice, Bureau of Justice Assistance, July 1997 (NCJ 161570); Commission on Trial Court Performance Standards, *Trial Court Performance Standards and Measurement System Implementation Manual*, Washington, DC: Department of Justice, Bureau of Justice Assistance, July 1997 (NCJ 161567); Commission on Trial Court Performance Standards, *Trial Court Performance Standards and Measurement System – Program Brief*, Washington, DC: Department of Justice, Bureau of Justice Assistance, July 1997 (NCJ 161569); and Commission on Trial Court Performance Standards, *Planning Guide for Using the Trial Court Performance Standards and Measurement System*, Washington, DC: Department of Justice, Bureau of Justice Assistance, July 1997 (NCJ 161568).

⁵ Hatry, H.P. (1999). *Performance Measurement: Getting Results*. Washington, DC: Urban Institute Press, 259-260. Another key difference between performance measurement and program evaluation or research is that performance measurement does not prove that the program input, activities and outputs necessarily caused the outcomes for participants or service recipients.

Sample. The questionnaire is administered to ***all*** the individuals who "use" the court (i.e., are physically in the courthouse) on a on a given day or days. This approach shifts the sampling focus to the representativeness of the court day(s) on which the survey is conducted and away from the role/ group identity of the respondent (i.e., litigant, attorney or other court "user"). It avoids sampling issues such as who among various court users is important to survey, sampling rate, strata, and so forth. Sampling of respondent groups is not required because the entire "population" of users (in that day) is surveyed in a "snapshot."

Response Rate. The administration of the survey questionnaire is designed to elicit responses from the majority, if not close to all, of potential respondents. In Tetovo, estimates of court users in a day range from a low of 400 to a high of 2,000. In advance of the survey in Tetovo, MCMP staff will make a count of the number of users exiting the court for every 15 minutes throughout the court day.

In order to assess the actual sample, non-respondents -- i.e., those refusing or somehow missed in the survey -- will be described systematically by the survey administrators as much as is possible. For example, they might note that a non-respondent was a "refuser," a 50-60 year-old male who stated "I don't answer questions that I don't have to."

Survey Administration. Court coordinators, interns and students coordinate and administer a simple questionnaire printed on an attractive form. It is anticipated that a polling firm will assist the Tetovo Court in such activities as distribution and collection of questionnaires, data entry, database preparation, data analysis and display.

Specifically, a team of six to ten individuals -- court personnel, students/interns, and polling firm staff -- will occupy a set of tables at the entrance/exit of the court. As citizens/court users exit the court, a member of the team will approach them and ask them to complete the questionnaire at one of the tables. Respondents who are unable to complete the questionnaire, will be ushered to another table where they will be given help in completing the questionnaire by a member of the team.

Respondents will be instructed to place in a nearby receptacle instead of simply handing it to one of the team members. This is intended to make clear to respondents that their responses are anonymous and the court will not be able to match the completed questionnaires with specific respondents.

Data Collection and Entry. Data collection and data computer entry will be accomplished simultaneously with the survey administration. Two networked computers will be located on the same tables occupied by the team of survey administrators. Two members of the team will enter data as it becomes available (withdrawal from the receptacle should be done in a way that avoids the

appearance of a breach of confidentiality). The data will be entered into a Microsoft Access database (the version should be that available to the court) with Access form(s) that will be used to design the questionnaire. Data entry will continue until completed. (If the Tetovo court will allow data entry to continue beyond the work day, data entry will continue in the court, if necessary. Otherwise, data entry will be done in a suitable place outside of the court.)

Data Analysis, Interpretation and Use

Data analysis will commence immediately upon completion of data entry and will be completed, at the latest, the morning after the day of the survey. Using MS Access, pre-designed and installed summary reports and detailed reports of the results will be generated.

Generally, the relevant analysis is two-fold. First, each individual question should be examined to determine the respondents' views of the court's performance. The average response to one of the questions (Question 10), an overall aggregate, or aggregate responses to two or more questions can be used as a general baseline for future comparisons.

Conclusions should not be drawn without first analyzing the responses by various subgroups of respondents (e.g., attorneys, litigants, frequent or infrequent users of the court). These analyses are important for determining whether the opinions of some groups are underrepresented in the overall analyses. For example, if most of the respondents to the question about access to the court are individuals who use the court on a regular basis, and not those who may have used the court for the first time on the day of the survey, the general analyses of answers to a question primarily will reflect the opinions of this group.

The responses to different questions also can be examined in relationship to one another. Do the respondents' personal experiences with the court's accessibility tend to correlate with his or her views of how safe they felt in the court?

For purposes of establishing baselines or control levels (e.g., performance levels below which the court will take immediate corrective actions), the responses to some or all of the questions can be aggregated to yield one or more scores (e.g., the percent of respondents who said it was easy or very easy to gain access to the court). At some point in the future, MCMP might also consider establishing benchmarks for "poor," "adequate," and "good" ratings. For example, an "adequate" rating might mean that four out of five (80%) respondents agreed or strongly agreed that court personnel were helpful and treated them with courtesy and respect. Courts should then strive to meet the benchmark when conducting the measure in the future. Because different groups may experience different problems, the benchmarks might differ for each

group. Finally -- some time in the future -- comparisons of the measure for different courts can become the basis for identifying best practices.

Survey Form (August 6, 2003, Version 6)

Macedonian Court Performance Citizen/User Satisfaction Survey (Q10 Tetovo)

Please take a few minutes to complete this very brief survey. Your responses will help the court evaluate and improve its services. All responses are confidential -- we do not need to know your name. Thank you for your help.

Directions: Please respond to the statements below based on your experience in the courthouse. For each statement below, circle the number that best describes your agreement or disagreement. Circle only one number for each statement. If the statement does not apply to you, place a check in the "not applicable" box in the last column.

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
1. Getting to the courthouse was easy.	1	2	3	4	5	
2. Finding where I need to go in the courthouse was easy and convenient.	1	2	3	4	5	
3. I felt safe in the courthouse.	1	2	3	4	5	
4. It was easy getting the information I needed when I came to the courthouse.	1	2	3	4	5	
5. Court personnel treated me with courtesy and respect.	1	2	3	4	5	
6. The judge hearing my case listened to me and was courteous, respectful and fair.	1	2	3	4	5	
7. I understand the instructions of the court and what I need to do next.	1	2	3	4	5	
8. The case or other business I had with the court was handled in a time promptly and in an efficient manner.	1	2	3	4	5	
9. I was treated equally -- my ethnic background, gender, economic status, or age made no difference in how I was treated by the court.	1	2	3	4	5	
10. Overall, I think the court performed effectively	1	2	3	4	5	

Please provide the court with some additional information about yourself and what brought you to the court. Your answers will help the court understand results of the survey. Remember that your responses are confidential.

A. What is your gender?

☐ Male
☐ Female

B. What is your formal education (please check ONE only)?

<input type="checkbox"/> No formal education or uncompleted elementary	<input type="checkbox"/> Vocational
<input type="checkbox"/> Elementary	<input type="checkbox"/> Higher
<input type="checkbox"/> Secondary	<input type="checkbox"/> University

C. What is your nationality (please check ONE only)?

<input type="checkbox"/> Macedonian	<input type="checkbox"/> Serbian
<input type="checkbox"/> Albanian	<input type="checkbox"/> Vlach
<input type="checkbox"/> Turkish	<input type="checkbox"/> Other
<input type="checkbox"/> Romany	<input type="checkbox"/> I do not wish to answer.

D. How often are you in the courthouse or one of the court's facilities? (Please check ONE only)

<input type="checkbox"/> Daily	<input type="checkbox"/> Several times a year
<input type="checkbox"/> Weekly	<input type="checkbox"/> Once a year or less
<input type="checkbox"/> Monthly	

E. What type of case or matter brought you to the court today? (check ALL that apply)

<input type="checkbox"/> Major Criminal	<input type="checkbox"/> Wills and Inheritances
<input type="checkbox"/> Minor Criminal	<input type="checkbox"/> Juvenile
<input type="checkbox"/> Traffic Violation	<input type="checkbox"/> Enforcement of Money Judgments
<input type="checkbox"/> Commercial/Business Claim	<input type="checkbox"/> Other Dispute or Legal Claim
<input type="checkbox"/> Family (e.g., divorce, adoption)	<input type="checkbox"/> Other (e.g., documents, registration, information)

F. What was your role or how were you involved in the matter or business that you had with the court today? (Please check ONE only)

- | | |
|---|--|
| <input type="checkbox"/> Judge | <input type="checkbox"/> Friend or Family Member |
| <input type="checkbox"/> Law enforcement officer | <input type="checkbox"/> Court Employee |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Citizen Seeking Information, Documents, Information |
| <input type="checkbox"/> Litigant (party to a legal matter) | <input type="checkbox"/> Business user (e.g., company filing, corporate records, searching archives) |
| <input type="checkbox"/> Victim or Witness | <input type="checkbox"/> Other |

G. If you were involved in or observed a criminal matter today, please respond to the following statement:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
The public prosecutor competently represented the interests of the state against the accused.	1	2	3	4	5	

H. If you were involved in or observed a case or matter today in which a private attorney was involved, please respond to the following statement:

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Not Applicable
The private attorney competently represented the interests of his or her client.	1	2	3	4	5	